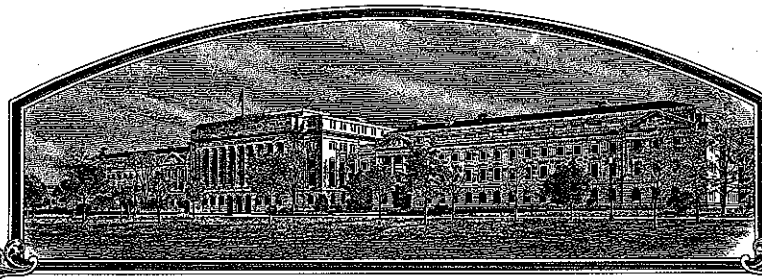


No.

200600277



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

West Bred LLC

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'Eddy'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-fifth day of January, in the year two thousand and seven.

Attest:

  
Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

  
Secretary of Agriculture

Eddy

REPRODUCE LOCALLY. Include form number and date on all reproductions

Form Approved - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER WestBred, LLC		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME BZ 9W96-788-e	3. VARIETY NAME Eddy
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 81 Timberline Drive Bozeman, MT		5. TELEPHONE (include area code) 406-587-1218	<b>FOR OFFICIAL USE ONLY</b> <b>PVPO NUMBER</b> <b>200600277</b> <b>FILING DATE</b> <b>August 25, 2006</b>
		6. FAX (include area code) 406-586-8247	
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Limited Liability Company	8. IF INCORPORATED, GIVE STATE OF INCORPORATION Arizona	9. DATE OF INCORPORATION August 4, 2003	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Dr. Dale R. Clark 81 Timberline Drive Bozeman, MT 59718			<b>FILING AND EXAMINATION FEES:</b> <b>\$ 4382.00</b> <b>DATE 8/25/06</b> <b>CERTIFICATION FEE:</b> <b>\$ 768.00</b> <b>DATE 12/01/2006</b>
11. TELEPHONE (include area code) 406-587-1218	12. FAX (include area code) 406-586-8247	13. E-MAIL dclarke@westbred.com	
14. CROP KIND (Common Name) wheat	16. FAMILY NAME (Botanical) Poaceae	18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Triticum aestivum	17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (if "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (if "no", go to item 23)	
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Exhibit F. Declaration Regarding Deposit g. <input checked="" type="checkbox"/> Voucher Sample (3,000 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$4,382), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO September 15, 2005 IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	

25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER Dale R. Clark for WestBred, LLC		SIGNATURE OF OWNER	
NAME (Please print or type) Dale R. Clark		NAME (Please print or type)	
CAPACITY OR TITLE Director of Research	DATE Aug 24, 2006	CAPACITY OR TITLE	DATE

(See reverse for instructions and information collection burden statement)

## Hard Red Winter Wheat

### 19a. Exhibit A. Origin and Breeding Nursery

"Eddy" is a common, hard red winter wheat that was developed by WestBred, LLC, Inc from the cross 'BZ9W92-709//MTSF 1142' made near Bozeman, MT in June, 1992. BZ9W92-709 is a solid stemmed line selected by WestBred from the cross 'Hatton/SS-14' which was made in 1989 near Phoenix, Arizona. SS-14 is a WestBred selection from a composite cross winter wheat population that resulted from the cross of WestBred's hard red winter Male Sterile Facilitated Recurrent Populations (MSFRSP) with the wheat stem sawfly tolerant spring wheat's Fortuna, Lew and Rambo that was made near Phoenix, AZ in 1983. WestBred's MSFRSP was based on the male sterile population that was originally obtained from Mr. Rex Thompson of the University of Arizona at the Mesa Experiment Station. Mr. Thompson constructed this spring MSFRSP (Wheat Germplasm CC A-1977) utilizing two male sterile lines from the variety 'Siete Cerros 66' and many public varieties and Breeding lines as males. MTSF 1142 is a solid stemmed line selected by Montana State University from the cross 'Lew/Tiber//Redwin'

The F1 was grown near Phoenix, AZ and harvested in May of 1993. The F2 seed was planted near Phoenix in November, 1993, and harvested in May, 1994. The F3 seed were planted near Bozeman October, 1994, and single heads were harvested in August, 1995. Single F4 head rows were planted October, 1995. In August, 1996 agronomically desirable rows were harvested. Based on bread quality evaluation, (% protein, SDS sedimentation) one of the harvested rows was selected and designated BZ9W96-788. This line was entered into yield trials throughout the Pacific Northwest in 1997 through 2005 (F5 through F12) and evaluated for yield, test weight, plant height, percent protein (Table 1) and bread making characters (Table 2.a and Table 2.b).

Heads were selected in the fall of 2000 from the F8 generation and planted as head rows in October, 2000. Selected rows were harvested in August, 2001. One row that appeared shorter was given the designation BZ9W96-788-e. Seed from this row was planted near Bozeman, MT in the fall of 2001 in four 5' x 20' plots. Seed was harvested from these plots in August, 2002, and was used to plant a 10' x 1200' strip in the fall of 2002. At the same time, this seed was also used to plant yield trials in WestBred's Montana and PNW trials. Agronomic evaluation of the line BZ 9W96-788-e showed it to be significantly shorter than it's sister line, Ledger (Table 3). Seed from this strip was harvested in August, 2003, and used to plant two acres near Bozeman, MT, in the fall of 2003. Seed from this two-acre field was harvested in August, 2004 as Breeder's seed. The Breeder's seed was planted near Moses Lake, WA in the fall of 2004 to produce Registered and Certified seed. The first unencumbered sale of Eddy was made September 15, 2005.

A variant that is similar to Eddy, but is 4 to 6 inches taller may occur at a frequency of .08% (8 per 10,000 plants). Also, a white seed may occur at a frequency of up to .45% (45 per 10,000 seeds). Otherwise Eddy is a stable and uniform variety in agronomic appearance and performance across several generations and growing conditions.



# “Eddy”

Hard Red Winter Wheat

200600277

## 19b. Exhibit B. Statement of Distinctiveness

Eddy is most similar to the variety Ledger. However, the seed of Eddy is elliptical whereas the seed of Ledger is oval. And the glume shoulders of Eddy are oblique, whereas the glume shoulders of Ledger are square. Also, Eddy is 5 cm shorter than Ledger across a wide range of environments and growing conditions. Table 3 shows plant height comparisons of Eddy and Ledger under 13 different environmental conditions over a 4 year period. A *t*-test on the paired values shows that Eddy is significantly shorter than Ledger ( $t = 3.62 \times 10^{-16}$  with 23 degrees of freedom. The probability that Eddy and Ledger are the same is  $<.001$ .

The above comparisons, along with a complete Objective Description (Exhibit C) show Eddy to be a novel variety of hard red winter wheat.

Table 1. Yield, test weight and % protein of Eddy compared to check varieties in Washington State University Trials for 2004 (6), 2005 (8) and 2006 (7). For a total of 21 location sites.

Variety	Yield (bu/ac)				T.W. (lbs/bu)				Protein %			
	2004	2005	2006	mean	2004	2005	2006	mean	2004	2005	2006	mean
<b>Eddy</b>	<b>90.8</b>	<b>72.7</b>	<b>85.6</b>	<b>83.0</b>	<b>61.7</b>	<b>61.3</b>	<b>62.9</b>	<b>62.0</b>	<b>12.3</b>	<b>11.4</b>	<b>12.0</b>	<b>11.9</b>
Agripro Paladin	87.1	70.6	83.3	80.3	58.6	61.2	62.3	60.7	12.6	12.0	12.2	12.3
Residence	82.4	84.7	-	83.6	58.6	58.6	-	58.6	11.6	10.9	-	11.3
Bauermeister	92.5	68.1	81.4	80.7	59.6	59.3	59.3	59.4	11.4	10.8	11.7	11.3
Weston	84.0	57.7	77.0	72.9	61.9	61.3	62.9	62.0	13.1	11.8	12.8	12.6
Finley	81.6	-	77.8	79.7	61.7	-	62.7	62.2	11.7	-	12.0	11.9
Boundary	91.5	76.7	95.1	87.8	60.2	60.3	61.0	60.5	11.9	11.0	11.6	11.5

Table 2.a. Quality analysis of Eddy from 6 sites in Washington state in the year 2005. Data from the Cargill Bake Lab.

Note: Eddy compared to CDC Falcon only at the Walla Walla site.

LOCATION	VARIETY	Wheat Data					Flour Data		Bake Data			
		PRO	FN	TW	TKW	HARD	ASH	PRO	Vol (cc)	Tolerance	Grain	Texture
Almira	Eddy	13.56	424	62.0	38.12	50.85	0.426	12.41	935	5	10	10
Pullman	Eddy	11.91	398	61.9	32.86	62.27	0.444	10.84	918	10	10	10
Ritzville	Eddy	12.33	510	64.3	36.90	66.07	0.463	11.28	895	5	10	10
St.Andrew	Eddy	11.81	525	59.7	27.05	60.75	0.466	11.08	935	10	10	10
Walla Walla	Eddy	13.55	437	65.0	41.86	55.99	0.438	11.88	875	10	10	10
Walla Walla	CDC Falcon	12.60	557	64.5	35.00	60.32	0.468	11.16	895	10	10	10



# "Eddy"

Hard Red Winter Wheat

200600277

Table 2.b. Quality analysis ( $t$ -scores) of Eddy compared to currently grown varieties of hard red winter wheat in Washington State University Trials. Analysis performed by USDA/ARS Western Wheat Quality Lab in Pullman, WA. (2004 - 2005 samples)

<u>VARIETY</u>	<u>OVERALL</u>	<u>GRAIN</u>	<u>MILLING</u>	<u>BAKING</u>
<b>EDDY</b>	<b>0.27</b>	<b>0.93</b>	<b>0.68</b>	<b>-0.05</b>
Finley	0.00	0.00	0.00	0.00
WESTON	-0.27	2.14	-3.56	0.97
PALADIN	-0.51	3.23	-2.40	-0.19
HATTON	-0.61	1.72	-2.25	-0.18
BAUERMEISTER	-1.23	-1.63	-1.30	-1.14
FALCON	-1.28	-0.70	-3.57	-0.23
DECLO	-1.97	1.07	-3.85	-1.53
MORELAND	-2.05	0.87	-3.97	-1.58
BOUNDARY	-2.82	-0.49	-3.87	-2.68
WANSER	-2.87	-0.55	-3.85	-2.77
RESIDENCE	-3.09	-2.31	-2.67	-3.44

Note: Student's  $t$  is calculated for each variety compared to the check variety 'Finley'. Positive values of  $t$  indicate the test variety has a value greater than the check and negative values indicate that the test variety value is less than the check.

Eddy was compared with Finley in 14 location/years of samples.  
**A difference of 2 is significant.**



# “Eddy”

200606277

## Hard Red Winter Wheat

Table 3. Height comparison (inches) of Eddy and Ledger in WestBred trials.

<u>Year</u>	<u>Location</u>	<u>replication</u>	<u>Eddy</u>	<u>Ledger</u>
<u>2003</u>	Brady, MT	I	27	29
		II	27	29
	Choteau, MT	I	23	25
		II	25	28
	Denton, MT	I	29	31
		II	28	31
	Havre, MT	I	30	32
		II	28	30
	Blackfoot, ID	I	34	36
		II	33	35
	Burley, ID	I	37	38
		II	39	41
	Moses Lake, WA	I	37	39
		II	37	38
	Walla Walla, WA	I	41	44
		II	41	43
<u>2004</u>	Bozeman, MT	I	35	37
		II	35	37
<u>2005</u>	Bozeman, MT	I	35	37
	Moses Lake, WA	I	39	41
<u>2006</u>	Bozeman, MT	I	33	35
		II	34	37
	Moses Lake, WA	I	32	34
		II	<u>32</u>	<u>34</u>
			32.96	35.04

Students *t* Test

$$t = 3.62E-16 = 3.62 \times 10^{-16}$$

w/23 df    P<.001

4 years 13 locations



Eddy

REPRODUCE LOCALLY. Include form number and date on all reproductions.

Form Approved OMB NO 0581-0055

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705

Exhibit C

OBJECTIVE DESCRIPTION OF VARIETY  
Wheat (*Triticum* spp.)

NAME OF APPLICANT (S) West Bred, LLC	TEMPORARY OR EXPERIMENTAL DESIGNATION BE 9W96-788-e	VARIETY NAME Eddy
ADDRESS (Street and No. or RD No., City, State, Zip Code and Country) 81 Timberline Drive Bozeman, MT 59718 USA		FOR OFFICIAL USE ONLY PVPO NUMBER 200600277

## PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g.,    or   ) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: \_\_\_\_\_ Please answer all questions for your variety; lack of response may delay progress of your application.

## 1. KIND:

- 1 = Common  
2 = Durum  
3 = Club  
4 = Other (Specify) \_\_\_\_\_

## 2. VERNALIZATION:

- 1 = Spring  
2 = Winter  
3 = Other (Specify) \_\_\_\_\_

## 3. COLEOPTILE ANTHOCYANIN:

- 1 = Absent 2 = Present

## 4. JUVENILE PLANT GROWTH:

- 1 = Prostrate 2 = Semi-Erect 3 = Erect

## 5. PLANT COLOR: (boot stage)

- 1 = Yellow-Green  
2 = Green  
3 = Blue-Green

## 6. FLAG LEAF: (boot stage)

- 1 = Erect 2 = Recurved  
 1 = Not Twisted 2 = Twisted  
 1 = Wax Absent 2 = Wax Present

## 7. EAR EMERGENCE:

- Number of Days (Average)  
  Number of Days Earlier Than \* Boundary  
Same As \* Ledger  
  Number of Days Later Than \* Rocky  
\*Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

## 8. ANTHOR COLOR:

- 1 = Yellow 2 = Purple

6

## 9. PLANT HEIGHT: (from soil to top of head, excluding awns)

098

cm (Average)

05

cm Taller Than

CDC Falcon

Same As

Boundary

05

cm Shorter Than

Ledger

200600277

## 10. STEM:

## A. ANTHOCYANIN

1

1 = Absent 2 = Present

## B. WAXY BLOOM

2

1 = Absent 2 = Present

## C. HAIRINESS (last internode of rachis)

2

1 = Absent 2 = Present

## D. INTERNODE

1

1 = Hollow 2 = Semi-Solid 3 = Solid

3

Number of Nodes

## E. PEDUNCLE

1

1 = Erect 2 = Recurved 3 = Semi-Erect

30

cm Length

## F. AURICLE

1

Anthocyanin: 1 = Absent 2 = Present

2

Hair: 1 = Absent 2 = Present

## 11. HEAD: (At Maturity)

## A. DENSITY

2

1 = Lax  
2 = Middense (Laxidense)  
3 = Dense

## B. SHAPE

2

1 = Tapering  
2 = Strap  
3 = Clavate  
4 = Other (Specify) \_\_\_\_\_

## C. CURVATURE

2

1 = Erect  
2 = Inclined  
3 = Recurved

## D. AWNEDNESS

4

1 = Awnless  
2 = Apically Awnletted  
3 = Awnletted  
4 = Awned

## 12. GLUMES: (At Maturity)

## A. COLOR

1

1 = White  
2 = Tan  
3 = Other (Specify) \_\_\_\_\_

## B. SHOULDER

2

1 = Wanting 2 = Oblique  
3 = Rounded 4 = Square  
5 = Elevated 6 = Apiculate  
7 = Other (Specify) \_\_\_\_\_

## C. SHOULDER WIDTH

1

1 = Narrow  
2 = Medium  
3 = Wide

## D. BEAK

3

1 = Obtuse  
2 = Acute  
3 = Acuminate

## E. BEAK WIDTH

2

1 = Narrow  
2 = Medium  
3 = Wide

## F. GLUME LENGTH

2

1 = Short (ca. 7 mm)  
2 = Medium (ca. 8 mm)  
3 = Long (ca. 9 mm)

## G. WIDTH

2

1 = Narrow (ca. 3 mm)  
2 = Medium (ca. 3.5 mm)  
3 = Wide (ca. 4 mm)

## H. PUBESCENCE

1

1 = Not Present  
2 = Present



## 13. SEED:

## A. SHAPE

- ☒ 3 1 = Ovale  
2 = Oval  
3 = Elliptical

## B. CHEEK

- ☒ 1 1 = Rounded  
2 = Angular

## C. BRUSH

- ☒ 3 1 = Short  
2 = Medium  
3 = Long
- ☒ 1 1 = Not Collared  
2 = Collared

## D. CREASE

- ☒ 2 1 = Width 60% or less of Kernel  
2 = Width 80% or less of Kernel  
3 = Width Nearly as Wide as Kernel

- ☒ 2 1 = Depth 20% or less of Kernel  
2 = Depth 35% or less of Kernel  
3 = Depth 50% or less of Kernel

## E. COLOR

- ☒ 3 1 = White  
2 = Amber  
3 = Red  
4 = Other (Specify) \_\_\_\_\_

## F. TEXTURE

- ☒ 1 1 = Hard  
2 = Soft  
3 = Other (Specify) \_\_\_\_\_

## G. PHENOL REACTION (See Instructions)

- ☒ 4 1 = Ivory  
2 = Fawn  
3 = Light Brown  
4 = Dark Brown  
5 = Black

## H. SEED WEIGHT

- ☒ 40 g/1000 Seed (whole number only)

## I. GERM SIZE

- ☒ 2 1 = Small  
2 = Midsize  
3 = Large

## 14. DISEASE: PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

(0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> 0 Stem Rust ( <i>Puccinia graminis</i> f. sp. <i>tritici</i> ) | <input checked="" type="checkbox"/> 1 Leaf Rust ( <i>Puccinia recondita</i> f. sp. <i>tritici</i> )                      |
| <input checked="" type="checkbox"/> 4 Stripe Rust ( <i>Puccinia striiformis</i> )                  | <input checked="" type="checkbox"/> 0 Loose Smut ( <i>Ustilago tritici</i> )   |
| <input checked="" type="checkbox"/> 0 Tan Spot ( <i>Pyrenophora tritici-repentis</i> )             | <input checked="" type="checkbox"/> 0 Flag Smut ( <i>Urocystis agropyri</i> )  |
| <input checked="" type="checkbox"/> 0 Halo Spot ( <i>Selenophoma donacis</i> )                     | <input checked="" type="checkbox"/> 0 Common Bunt ( <i>Tilletia tritici</i> or <i>T. laevis</i> )                        |
| <input checked="" type="checkbox"/> 0 <i>Septoria nodorum</i> (Glume Blotch)                       | <input checked="" type="checkbox"/> 0 Dwarf Bunt ( <i>Tilletia controversa</i> )   |
| <input checked="" type="checkbox"/> 0 <i>Septoria avenae</i> (Speckled Leaf Disease)               | <input checked="" type="checkbox"/> 0 Karnal Bunt ( <i>Tilletia indica</i> )   |
| <input checked="" type="checkbox"/> 0 <i>Septoria tritici</i> (Speckled Leaf Blotch)               | <input checked="" type="checkbox"/> 4 Powdery Mildew ( <i>Erysiphe graminis</i> f. sp. <i>tritici</i> )                  |
| <input checked="" type="checkbox"/> 0 Scab ( <i>Fusarium</i> spp.)                                 | <input checked="" type="checkbox"/> 0 "Snow Molds"   |
| <input checked="" type="checkbox"/> 0 "Black Point" (Kernel Smudge)                                | <input checked="" type="checkbox"/> 0 Common Root Rot ( <i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.) |
| <input checked="" type="checkbox"/> 0 Barley Yellow Dwarf Virus (BYDV)                             | <input checked="" type="checkbox"/> 0 Rhizoctonia Root Rot ( <i>Rhizoctonia solani</i> )                                 |
| <input checked="" type="checkbox"/> 0 Soilborne Mosaic Virus (SBMV)                                | <input checked="" type="checkbox"/> 0 Black Chaff ( <i>Xanthomonas campestris</i> pv. <i>translucens</i> ).              |
| <input checked="" type="checkbox"/> 0 Wheat Yellow (Spindle Streak) Mosaic Virus                   | <input checked="" type="checkbox"/> 0 Bacterial Leaf Blight ( <i>Pseudomonas syringae</i> pv. <i>syringae</i> )          |
| <input checked="" type="checkbox"/> 0 Wheat Streak Mosaic Virus (WSMV)                             | <input checked="" type="checkbox"/> 0 Other (Specify) _____  |
| <input checked="" type="checkbox"/> 0 Other (Specify) _____  | <input checked="" type="checkbox"/> 0 Other (Specify) _____  |
| <input checked="" type="checkbox"/> 0 Other (Specify) _____  | <input checked="" type="checkbox"/> 0 Other (Specify) _____  |
| <input checked="" type="checkbox"/> 0 Other (Specify) _____  | <input checked="" type="checkbox"/> 0 Other (Specify) _____  |

## 15. INSECT: (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> 0 Hessian Fly ( <i>Mayetiola destructor</i> )   | <input checked="" type="checkbox"/> 0 Other (Specify) _____ |
| <input checked="" type="checkbox"/> 1 Stem Sawfly ( <i>Cephus</i> spp.)             | <input checked="" type="checkbox"/> 0 Other (Specify) _____ |
| <input checked="" type="checkbox"/> 0 Cereal Leaf Beetle ( <i>Oulema melanopa</i> ) | <input checked="" type="checkbox"/> 0 Other (Specify) _____ |

Eddy

15. INSECT: (continued) (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (Where Needed)

200600277

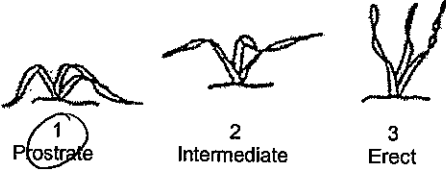
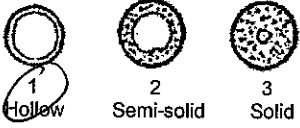
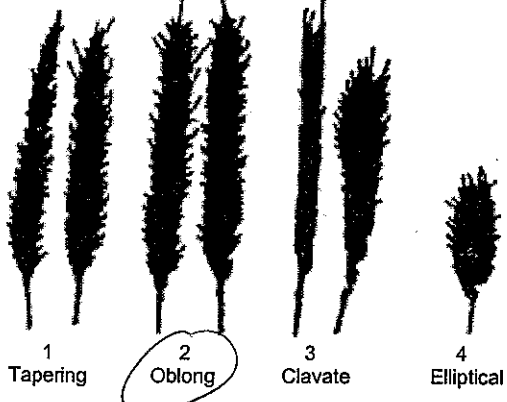
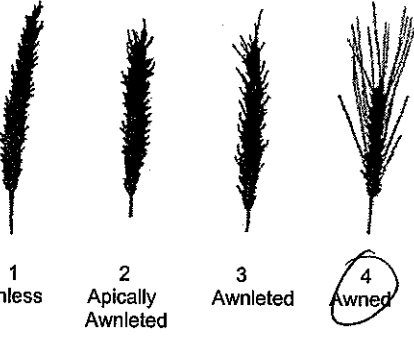
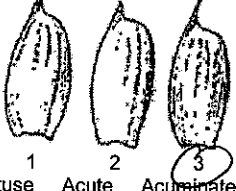
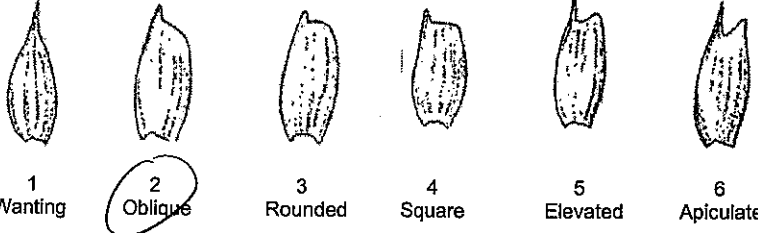
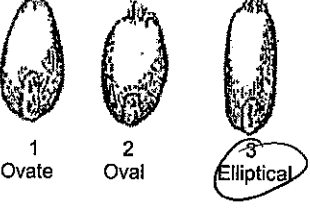
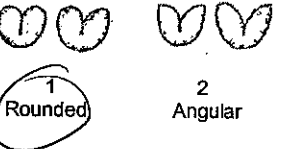
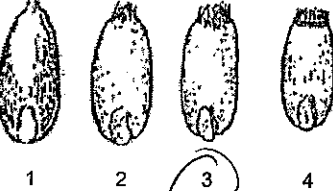
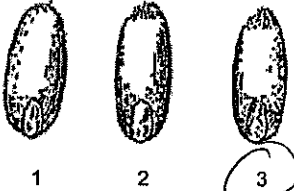
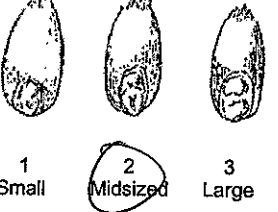

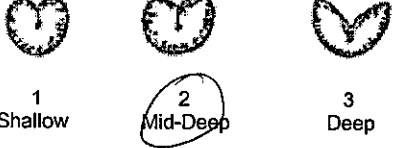
- ☒ Russian Aphid (*Diuraphis noxia*)  
☐ Greenbug (*Schizaphis graminum*)  
☐ Aphids

- ☐ Other (Specify) \_\_\_\_\_  
☐ Other (Specify) \_\_\_\_\_  
☐ Other (Specify) \_\_\_\_\_

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

Section Numbers Correspond to the Numbers of the Sections on the Form

200600277

<p>4. EARLY PLANT GROWTH HABIT:</p>  <p>1 Prostrate      2 Intermediate      3 Erect</p>	<p>10. (D.) STEM INTERNODE X-SECTION:</p>  <p>1 Hollow      2 Semi-solid      3 Solid</p>	<p>11. (B.) SPIKE SHAPE:</p>  <p>1 Tapering      2 Oblong      3 Clavate      4 Elliptical</p> <p>Strap</p>	
<p>11. (D.) AWNEDNESS:</p>  <p>1 Awnless      2 Apically Awnleted      3 Awnleted      4 Awned</p>	<p>12. (D.) BEAK SHAPE:</p>  <p>1 Obtuse      2 Acute      3 Acuminate</p>		
<p>12. (C.) SHOULDER SHAPE:</p>  <p>1 Wanting      2 Oblique      3 Rounded      4 Square      5 Elevated      6 Apiculate</p>			
<p>13. (A.) SEED SHAPE:</p>  <p>1 Ovate      2 Oval      3 Elliptical</p>	<p>13. (B.) CHEEK SHAPE:</p>  <p>1 Rounded      2 Angular</p>	<p>13. (C.) BRUSH SIZE:</p>  <p>1 Small      2 Midsized      3 Large      4 Collared</p>	<p>13. (C.) BRUSH HAIR LENGTH:</p>  <p>1 Short      2 Medium      3 Long</p>
<p>13. (I.) GERM (EMBRYO) SIZE:</p>  <p>1 Small      2 Midsized      3 Large</p>	<p>13. (D.) SEED CREASE WIDTH:</p>  <p>1 Narrow      2 Mid-wide      3 Wide</p>	<p>13. (D.) SEED CREASE DEPTH:</p>  <p>1 Shallow      2 Mid-Deep      3 Deep</p>	

Eddy

REPRODUCE LOCALLY. Include form number and edition date on all reproductions.

FORM APPROVED - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

**EXHIBIT E  
STATEMENT OF THE BASIS OF OWNERSHIP**

1. NAME OF APPLICANT(S)  WestBred, LLC	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  BZ 9W96-788-e	3. VARIETY NAME  Eddy
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)  81 Timberline Drive Bozeman, MT 59718	5. TELEPHONE (Include area code)  (406) 587-1218	6. FAX (Include area code)  (406) 586-8247
7. PVPO NUMBER		200600277

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.



YES



NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.



YES



NO

10. Is the applicant the original owner?



YES



NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?



YES



NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?



YES



NO

If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provide and employer.

Eddy

REPRODUCE LOCALLY. Include form number and date on all reproductions.

Form Approved OMB NO 0581-0055

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

**U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705**

**EXHIBIT F  
DECLARATION REGARDING DEPOSIT**

NAME OF OWNER (S) WestBred, LLC	ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country) 81 Timberline Drive Bozeman, MT 59718	TEMPORARY OR EXPERIMENTAL DESIGNATION BZ 9W96-788-e
NAME OF OWNER REPRESENTATIVE (S) Dr. Dale R. Clark	ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country) 81 Timberline Drive Bozeman, MT 59718	VARIETY NAME Eddy FOR OFFICIAL USE ONLY PVPO NUMBER 200600277

I do hereby declare that during the life of the certificate a viable sample of propagating material of the subject variety will be deposited, and replenished as needed periodically, in a public repository in the United States in accordance with the regulations established by the Plant Variety Protection Office.

Dale R. Clark  
Signature

Aug 21, 2006  
Date

12